

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

In re: AVITIA, ESTEBAN
AVITIA, MARIA

§ Case No. 09-73579

§

§

Debtor(s)

§

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

STEPHEN G. BALSLEY, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$154,351.74

Assets Exempt: \$39,300.00

Total Distribution to Claimants: \$8,852.40

Claims Discharged
Without Payment: \$268,810.28

Total Expenses of Administration: \$3,650.01

3) Total gross receipts of \$ 12,502.41 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$12,502.41 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$59,047.34	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	3,650.01	3,650.01	3,650.01
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	271,752.56	124,997.83	124,997.83	8,852.40
TOTAL DISBURSEMENTS	\$330,799.90	\$128,647.84	\$128,647.84	\$12,502.41

4) This case was originally filed under Chapter 7 on August 25, 2009.
The case was pending for 13 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 10/13/2010 By: /s/STEPHEN G. BALSLEY
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 –GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT RECEIVED
Preference paid to Maria Pena	1241-000	12,500.00
Interest Income	1270-000	2.41
TOTAL GROSS RECEIPTS		\$12,502.41

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	N/A		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 –SECURED CLAIMS

CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Chase	4110-000	45,506.34	N/A	N/A	0.00
Chase Home Finance LLC	4110-000	13,541.00	N/A	N/A	0.00
TOTAL SECURED CLAIMS		\$59,047.34	\$0.00	\$0.00	\$0.00

EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
STEPHEN G. BALSLEY	2100-000	N/A	2,000.01	2,000.01	2,000.01 ✓
Barrick, Switzer Law Firm	3110-000	N/A	1,650.00	1,650.00	1,650.00 ✓
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	3,650.01	3,650.01	3,650.01 ✓

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	N/A				
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	0.00	0.00	0.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	N/A				
TOTAL PRIORITY UNSECURED CLAIMS		0.00	0.00	0.00	0.00

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
Roundup Funding, LLC	7100-000	549.83	633.63	633.63 ✓	44.88 ✓
Roundup Funding, LLC	7100-000	1,581.00	1,418.49	1,418.49 ✓	100.47 ✓
TARGET NATIONAL BANK	7100-000	4,532.00	4,723.32	4,723.32 ✓	334.51 ✓
PYOD LLC its successors and assigns as assignee of	7100-000	19,207.00	20,309.85	20,309.85 ✓	1,438.35 ✓

Chase Bank USA, N.A.	7100-000	9,676.17	9,676.17	9,676.17 ✓	685.27 ✓
Chase Bank USA, N.A.	7100-000	3,752.91	3,752.91	3,752.91 ✓	265.78 ✓
Chase Bank USA, N.A.	7100-000	6,964.11	6,964.11	6,964.11 ✓	493.20 ✓
FIA CARD SERVICES, NA/BANK OF AMERICA	7100-000	9,323.00	10,366.63	10,366.63 ✓	734.17 ✓
FIA CARD SERVICES, NA/BANK OF AMERICA	7100-000	4,995.95	5,523.72	5,523.72 ✓	391.19 ✓
FIA CARD SERVICES, NA/BANK OF AMERICA	7100-000	1,089.84	1,449.89	1,449.89 ✓	102.68 ✓
FIA CARD SERVICES, NA/BANK OF AMERICA	7100-000	29,653.11	32,397.18	32,397.18 ✓	2,294.38 ✓
Capital Recovery III LLC As Assignee of Sears - SE	7100-000	4,642.45	4,718.75	4,718.75 ✓	334.18 ✓
GE Money Bank dba SAM'S CLUB DISCOVER	7100-000	3,222.34	3,289.18	3,289.18 ✓	232.94 ✓
Sallie Mae	7100-000	19,898.00	19,774.00	19,774.00 ✓	1,400.40 ✓
Commonwealth Edison	7100-000	1,731.76	N/A	N/A	0.00
HSBC	7100-000	2,317.48	N/A	N/A	0.00
Capital One Bank USA NA	7100-000	1,182.00	N/A	N/A	0.00
Capital One Bank	7100-000	1,161.86	N/A	N/A	0.00
HSBC	7100-000	3,310.00	N/A	N/A	0.00
Citi Cards	7100-000	4,359.50	N/A	N/A	0.00
HSBC	7100-000	74.00	N/A	N/A	0.00
State Farm Bank	7100-000	14,124.00	N/A	N/A	0.00
Wal Mart	7100-000	3,721.23	N/A	N/A	0.00
US Cellular	7100-000	470.00	N/A	N/A	0.00
Rosangela C. Lavagnolli DDS	7100-000	600.50	N/A	N/A	0.00
National Collegiate Trust American Education Services	7100-000	128.24	N/A	N/A	0.00
NiCor Gas	7100-000	783.00	N/A	N/A	0.00
HSBC Bank	7100-000	621.00	N/A	N/A	0.00
Jose Santiago c/o Attorney Peter A. Zneimer	7100-000	50,000.00	N/A	N/A	0.00
JC Penney	7100-000	1,436.00	N/A	N/A	0.00
AT&T Bankruptcy Department	7100-000	341.28	N/A	N/A	0.00
AES Student Loan Servicing Center	7100-000	13,896.00	N/A	N/A	0.00

AES Student Loan Servicing Center	7100-000	11,502.00	N/A	N/A	0.00
AES Student Loan Servicing Center	7100-000	26,294.00	N/A	N/A	0.00
AES Student Loan Servicing Center	7100-000	14,611.00	N/A	N/A	0.00
TOTAL GENERAL UNSECURED CLAIMS		271,752.56	124,997.83	124,997.83	8,852.40

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 09-73579

Case Name: AVITIA, ESTEBAN
AVITIA, MARIA

Period Ending: 10/13/10

Trustee: (330410) STEPHEN G. BALSLEY

Filed (f) or Converted (c): 08/25/09 (f)

§341(a) Meeting Date: 10/01/09

Claims Bar Date: 01/07/10

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=§554(a) DA=§554(c)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 1705 S. Trainer Road Rockford,	105,000.00 ✓	0.00	DA	0.00	FA
2 Cash on Person	20.00 ✓	0.00	DA	0.00	FA
3 Chase Checking Account	31.74 ✓	0.00	DA	0.00	FA
4 Normal Complement of Household Goods and Furnish	2,000.00 ✓	0.00	DA	0.00	FA
5 Normal Wearing Apparel	500.00 ✓	0.00	DA	0.00	FA
6 1998 Chevrolet Sports Van	2,500.00 ✓	0.00	DA	0.00	FA
7 1996 Pontiac Grand Prix	300.00 ✓	0.00	DA	0.00	FA
8 2004 Chevy Malibu	4,000.00 ✓	0.00	DA	0.00	FA
9 Preference paid to Maria Pena (u)	40,000.00 ✓	40,000.00	DA	12,500.00	FA
Int INTEREST (u)	Unknown	N/A		2.41	FA
10 Assets Totals (Excluding unknown values)	\$154,351.74	\$40,000.00		\$12,502.41	\$0.00

Major Activities Affecting Case Closing:

Initial Projected Date Of Final Report (TFR): December 1, 2010

Current Projected Date Of Final Report (TFR): April 3, 2010 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 09-73579

Case Name: AVITIA, ESTEBAN
AVITIA, MARIA

Taxpayer ID #: **-***7339

Period Ending: 10/13/10

Trustee: STEPHEN G. BALSLEY (330410)

Bank Name: JPMORGAN CHASE BANK, N.A.

Account: ***-****34-65 - Money Market Account

Blanket Bond: \$1,500,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
03/22/10	{9}	MARIA PENA	PAYMENT PURSUANT TO ORDER TO COMPROMISE A CONTROVERSY	1241-000	12,500.00		12,500.00
03/31/10	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.13		12,500.13
04/06/10	Int	JPMORGAN CHASE BANK, N.A.	Current Interest Rate is 0.0500%	1270-000	0.08		12,500.21
04/06/10		Wire out to BNYM account 9200*****3465	Wire out to BNYM account 9200*****3465	9999-000	-12,500.21		0.00

ACCOUNT TOTALS	0.00	0.00	\$0.00
Less: Bank Transfers	-12,500.21	0.00	
Subtotal	12,500.21	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$12,500.21	\$0.00	

Form 2

Cash Receipts And Disbursements Record

Case Number: 09-73579

Case Name: AVITIA, ESTEBAN
AVITIA, MARIA

Taxpayer ID #: **-***7339

Period Ending: 10/13/10

Trustee: STEPHEN G. BALSLEY (330410)

Bank Name: The Bank of New York Mellon

Account: 9200-*****34-65 - Money Market Account

Blanket Bond: \$1,500,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
04/06/10		Wire in from JPMorgan Chase Bank, N.A. account *****3465	Wire in from JPMorgan Chase Bank, N.A. account *****3465	9999-000	12,500.21		12,500.21
04/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0700%	1270-000	0.59		12,500.80
05/28/10	Int	The Bank of New York Mellon	Interest posting at 0.0700%	1270-000	0.75		12,501.55
06/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0700%	1270-000	0.72		12,502.27
07/07/10	Int	The Bank of New York Mellon	Current Interest Rate is 0.0700%	1270-000	0.14		12,502.41
07/07/10		To Account #9200*****3466	Transfer to Closed Money Market Account	9999-000		12,502.41	0.00
ACCOUNT TOTALS					12,502.41	12,502.41	\$0.00
Less: Bank Transfers					12,500.21	12,502.41	
Subtotal					2.20	0.00	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					\$2.20	\$0.00	

Form 2

Cash Receipts And Disbursements Record

Case Number: 09-73579

Case Name: AVITIA, ESTEBAN
AVITIA, MARIA

Taxpayer ID #: **-***7339

Period Ending: 10/13/10

Trustee: STEPHEN G. BALSLEY (330410)

Bank Name: The Bank of New York Mellon

Account: 9200-*****34-66 - Checking Account

Blanket Bond: \$1,500,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/07/10		From Account #9200*****3465	Transfer to Closed Money Market Account	9999-000	12,502.41		12,502.41
07/08/10	101	Barrick, Switzer Law Firm	Dividend paid 100.00% on \$1,650.00, Attorney for Trustee Fees (Trustee Firm); Reference:	3110-000		1,650.00	10,852.41
07/08/10	102	STEPHEN G. BALSLEY	Dividend paid 100.00% on \$2,000.01, Trustee Compensation; Reference:	2100-000		2,000.01	8,852.40
07/08/10	103	Roundup Funding, LLC	Dividend paid 7.08% on \$633.63; Claim# 1; Filed: \$633.63; Reference:	7100-000		44.88	8,807.52
07/08/10	104	Roundup Funding, LLC	Dividend paid 7.08% on \$1,418.49; Claim# 2; Filed: \$1,418.49; Reference:	7100-000		100.47	8,707.05
07/08/10	105	TARGET NATIONAL BANK	Dividend paid 7.08% on \$4,723.32; Claim# 3; Filed: \$4,723.32; Reference:	7100-000		334.51	8,372.54
07/08/10	106	PYOD LLC its successors and assigns as assignee of	Dividend paid 7.08% on \$20,309.85; Claim# 4; Filed: \$20,309.85; Reference:	7100-000		1,438.35	6,934.19
07/08/10	107	Chase Bank USA, N.A.	Dividend paid 7.08% on \$9,676.17; Claim# 5; Filed: \$9,676.17; Reference:	7100-000		685.27	6,248.92
07/08/10	108	Chase Bank USA, N.A.	Dividend paid 7.08% on \$3,752.91; Claim# 6; Filed: \$3,752.91; Reference:	7100-000		265.78	5,983.14
07/08/10	109	Chase Bank USA, N.A.	Dividend paid 7.08% on \$6,964.11; Claim# 7; Filed: \$6,964.11; Reference:	7100-000		493.20	5,489.94
07/08/10	110	FIA CARD SERVICES, NA/BANK OF AMERICA	Dividend paid 7.08% on \$10,366.63; Claim# 8; Filed: \$10,366.63; Reference:	7100-000		734.17	4,755.77
07/08/10	111	FIA CARD SERVICES, NA/BANK OF AMERICA	Dividend paid 7.08% on \$5,523.72; Claim# 9; Filed: \$5,523.72; Reference:	7100-000		391.19	4,364.58
07/08/10	112	FIA CARD SERVICES, NA/BANK OF AMERICA	Dividend paid 7.08% on \$1,449.89; Claim# 10; Filed: \$1,449.89; Reference:	7100-000		102.68	4,261.90
07/08/10	113	FIA CARD SERVICES, NA/BANK OF AMERICA	Dividend paid 7.08% on \$32,397.18; Claim# 11; Filed: \$32,397.18; Reference:	7100-000		2,294.38	1,967.52
07/08/10	114	Capital Recovery III LLC As Assignee of Sears - SE	Dividend paid 7.08% on \$4,718.75; Claim# 12; Filed: \$4,718.75; Reference:	7100-000		334.18	1,633.34
07/08/10	115	GE Money Bank dba SAM'S CLUB DISCOVER	Dividend paid 7.08% on \$3,289.18; Claim# 13; Filed: \$3,289.18; Reference:	7100-000		232.94	1,400.40
07/08/10	116	Sallie Mae	Dividend paid 7.08% on \$19,774.00; Claim# 14; Filed: \$19,774.00; Reference:	7100-000		1,400.40	0.00

ACCOUNT TOTALS	12,502.41	12,502.41	\$0.00
Less: Bank Transfers	12,502.41	0.00	
Subtotal	0.00	12,502.41	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$0.00	\$12,502.41	

Form 2

Cash Receipts And Disbursements Record

Case Number: 09-73579

Case Name: AVITIA, ESTEBAN
AVITIA, MARIA

Taxpayer ID #: **-***7339

Period Ending: 10/13/10

Trustee: STEPHEN G. BALSLEY (330410)

Bank Name: The Bank of New York Mellon

Account: 9200-*****34-66 - Checking Account

Blanket Bond: \$1,500,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
MMA # ***-*****34-65	12,500.21	0.00	0.00
MMA # 9200-*****34-65	2.20	0.00	0.00
Checking # 9200-*****34-66	0.00	12,502.41	0.00
	<u>\$12,502.41</u>	<u>\$12,502.41</u>	<u>\$0.00</u>